



Virginia  
Regulatory  
Town Hall

## Exempt Action Final Regulation Agency Background Document

<b>Agency Name:</b>	Department of Labor and Industry/Safety and Health Codes Board
<b>VAC Chapter Number:</b>	16 VAC 25-175-1926.200 through 16 VAC 25-175-1926.203
<b>Regulation Title:</b>	Safety Standards for Signs, Signals and Barricades, Construction Industry
<b>Action Title:</b>	Amendment to Safety Standards for Signs, Signals and Barricades, Construction Industry
<b>Date:</b>	December 19, 2002

Where a regulation is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*) (APA), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply with the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file the final regulation with the Registrar in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

**Note agency actions exempt pursuant to § 9-6.14:4.1(B)** do not require filing with the Registrar a Notice of Intended Regulatory Action, or at the proposed stage. When the regulation is promulgated and submitted to the Registrar, the agency need only provide a statement citing the specific Virginia Code section referencing the exemption and an authority certification letter from the Attorney General's Office. No specific format is required.

This form should be used for actions **exempt from the Administrative Process Act pursuant to § 9-6.14:4.1(C)** at the final stage. Note that agency actions exempt pursuant to § 9-6.14:4.1(C) of the APA do not require filing with the Registrar a Notice of Intended Regulatory Action, and at the proposed stage.

### Summary

*Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation, instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

Federal OSHA amended 29 CFR 1926 Subpart G, §§1926.200 - 1926.203, which revised the construction industry safety standard for traffic control signs, signals and barricades protecting road construction workers.

Subpart G is amended by replacing its references to the 1971 ANSI standard with references to the U.S. Department of Transportation’s September 3, 1993, Revision 3 to Part VI of its 1988 Manual on Uniform Traffic Control Devices (MUTCD).

This standard applies to employers involved in road construction and repair and now requires compliance with Part VI of the 1988 MUTCD with 1993 revisions or the Millennium Edition of MUTCD (instead of the current ANSI D6.1-1971 standard/1971 MUTCD).

**Statement of Final Agency Action**

*Please provide a statement of the final action taken by the agency including the date the action was taken, the name of the agency taking the action, and the title of the regulation.*

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On December 2, 2002, the Safety and Health Codes Board adopted an identical version of federal OSHA’s amendment to the final rule for Safety Standards for Signs, Signals and Barricades, Construction Industry, 16 VAC 25-175-1926.200 through 1926.203. The effective date for this action is March 1, 2003.

**Family Impact Statement**

*Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one’s spouse, and one’s children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The amendments to these regulations have no impact on the institution of the family or family stability.